COMMENTS

Before the amendment made with this response, we had used an "e.g." wording in the base claim 31. This wording was stated in the OA as leaving the claim indefinite, and this argument was used to reject the claim (35 USC 112, 2nd paragraph). We think that the reasons stated in the last Office Action for rejecting claim 31 would not stand a closer linguistic inspection. We surely agree that this term "e.g. wave-plates or active polarization rotators" is, as a non-exhaustive enumeration, quite obviously not definite. However, it did not leave the claim indefinite, because the examples were covered by an umbrella term "without polarization rotating components", which had covered, and still covers (examples provided or not) a very definite and defined scope, including everything which is provided as an example, and more. We believe that the "e.g." in our claim 31 (before the amendment) should not have led to confusion. Moreover, we still see this property of the claim ("without polarization rotating components ...") not as an independent property of the claim, but as an illustration of what is already completely covered by the relationship of the planes spanned with the optic axes and the polarizing layer vectors (as hard to perceive it may be there).

We understand however that the examiner considers example language in the base claim as a reason to reject the claim. We consider this helpful advice, since the example (A) provided in MPEP2173.05(d) is in our eyes also absolutely clear linguistically, and uses - like we had - an umbrella term, but still has been held to be indefinite. (Other examples (B) to (D) in MPEP2173.05(d) are obviously indefinite). We have therefore removed the "e.g." wording. In the amendment of claim 31 above we strictly follow the sample provided by detailed action 10 of the OA. This puts umbrella term, and individual members of the term in the same rank of the enumeration, and while we find this "less pretty", it does - in our eyes - not change what we intend to claim, and it excludes the language that may potentially cause problems.

We have also changed 3 "a"s in the claim to "the"s. This relates to the first naming of the polarizing layer vectors V2, V1 and V3 (in that order). This change was not required,

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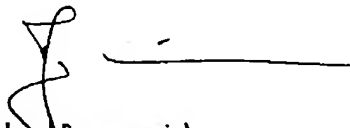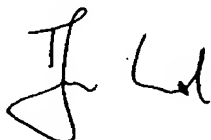
but since there is only one V1 (the polarizing layer vector of P1) and only one V2 (the polarizing layer vector of P2) and only one V3 (the polarizing layer vector of P3), the three vectors are determined after the introduction of the layers P1, P2, P3.

We hope that - as the examiner pointed out in the Office Action - this amendment (deleting the example language) will remove the reasons for rejection, as is stated in detailed Office Action 11 and that it will render the matter allowable as stated in Office Action 12.

We are grateful for the great care revealed in the many detailed actions that the examiner has had with this application.

Respectfully submitted,

sincerely,

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